

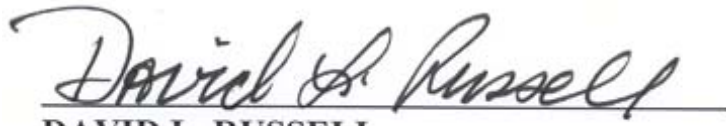
**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

DAVID THIESSEN,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-11-1467-R
)	
TERRY MARTEN,)	
)	
Respondent.)	

ORDER

Before the Court are the Order/Report and Recommendation of United States Magistrate Judge Robert E. Bacharach entered January 17, 2012 [Doc. No. 8] and Petitioner's Response to the Order/Report and Recommendation filed January 24, 2012 [Doc. No. 11], which the Court treats as an objection to the January 17, 2012 Order/Report and Recommendation. In the Order/Report and Recommendation the Magistrate Judge vacated his prior Report and Recommendation [Doc. No. 6] which recommended denial of Petitioner's motion for leave to proceed *in forma pauperis* because Petitioner has since paid the filing fee and accordingly recommended that Petitioner's motion for leave to proceed *in forma pauperis* be dismissed on grounds of mootness. In Petitioner's Response, he simply conclusorily objects to the Order/Report and Recommendation but does not say why he objects, other than to indicate he does not wish to waive his right to appellate review, and makes no argument in support of his objection. Accordingly, no basis for *de novo* review of the Order/Report and Recommendation [Doc. No. 8] is invoked and the Order/Report and Recommendation are ADOPTED. Petitioner's motion for leave to proceed *in forma pauperis* [Doc. No. 5] is therefore DISMISSED as moot inasmuch as Petitioner has paid the filing fee.

IT IS SO ORDERED this 26th day of January, 2012.



DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE